
OLR Bill Analysis

sHB 5562

AN ACT CONCERNING SPECIAL EDUCATION.

SUMMARY:

This bill creates a new state formula to reimburse school districts on a sliding scale for above-average special education costs for individual students so that, as the cost of educating the student reaches higher thresholds, the state pays a greater share of the cost.

The bill also requires that (1) dyslexia be added to the special education individualized education program (IEP) form as a separate category and (2) instruction in dyslexia be added to teacher preparation programs that lead to a professional teacher certification.

It also requires boards of education to notify parents or guardians of preschool special education students who reach age 5 or age 6 of their legal right to hold the child back from entering kindergarten for a year.

EFFECTIVE DATE: Upon passage for the provisions regarding dyslexia on the IEP form and notification of parental rights and July 1, 2014 for the provisions regarding the dyslexia and teacher preparation and the excess cost grant formula.

§ 4 — NEW SPECIAL EDUCATION EXCESS COST GRANT FORMULA

The bill creates a new state formula to reimburse school districts for above-average special education costs for individual students. Currently, the state gives districts grants for any cost of special education for a student that exceeds four and half times the district's average per-pupil educational costs for the prior year. (Often these grants are capped by a separate statutory provision due to budget constraints.) All costs below the four and a half times threshold are borne by the local district.

The bill establishes a sliding scale reimbursement formula where districts receive special education grants at various cost thresholds with the state providing a higher reimbursement as a student's special education cost increases as shown in Table 1.

Table 1: State Special Education Excess Cost Grant under Current Law and the Bill

<i>Cost Threshold (expressed as a multiple of average district per-pupil expenditure)</i>	<i>Current Law (% applies to amount above threshold)</i>		<i>The Bill (% applies to amount above threshold)</i>	
	<i>Local Share</i>	<i>State Share</i>	<i>Local Share</i>	<i>State Share</i>
Less than 1.5 times	100%	0	100%	0
At least 1.5 times but less than 3 times	100%	0	70%	30%
At least 3 times but less than 4.5 times	100%	0	40%	60%
At least 4.5 times	0*	100%*	10%	90%

*Unless capped

§ 1 — DYSLEXIA ON THE IEP FORM

The bill requires the State Department of Education (SDE) to add dyslexia to the standard individualized education program (IEP) form that planning and placement teams must use to describe the special education and related services to a special education student needs. Specifically, by January 1, 2015, SDE must add “SLD – Dyslexia” under the “specific learning disabilities” heading in the “primary disability” section of the IEP form. Dyslexia is a reading disability often characterized as difficulty in decoding letters and words. Dyslexia is currently covered by the state and federal special education laws but does not appear on the IEP form.

Current law is silent regarding what must be included on the IEP form, but state regulations require all districts use a standardized form that the State Board of Education (SBE) approves.

The federal Individuals with Disabilities Education Act (IDEA) requires school districts provide appropriate educational services to students with disabilities (see BACKGROUND).

§ 2 — DYSLEXIA INSTRUCTION IN TEACHER PREPARATION PROGRAMS

The bill requires that, beginning July 1, 2015, all teacher preparation programs that lead to professional teacher certification must include instruction on detection and recognition of, and appropriate interventions for, students with dyslexia. By law, these teacher preparation programs must already include instruction on literacy skills and best practices in the field of literacy training.

§ 3 — PRESCHOOL SPECIAL EDUCATION STUDENTS AND KINDERGARTEN

By law, a local or regional board of education must, whenever a child has been identified as requiring special education, immediately inform parents or guardians of the laws relating to special education and of their rights under those laws. The bill requires the information to include explicit notice of a parent's or guardian's right, under existing law, to withhold a child age (1) five from enrolling in kindergarten until age six and (2) six from enrolling until age seven.

BACKGROUND***IDEA and IEPs***

Under IDEA (20 USC 1400 et seq.), the term IEP means a written statement for each child with a disability that details the child's academic achievement level, sets goals for future achievement, and details the specialized educational services the child needs to reach the goals. As with other states, Connecticut's special education laws (CGS §§ 10-76a to 10-76h) must conform with the federal law.

COMMITTEE ACTION

Education Committee

Joint Favorable Substitute

Yea 32 Nay 1 (03/21/2014)